

HOUSE JOURNAL

FORTY-THIRD LEGISLATURE, FIRST CALLED SESSION

PROCEEDINGS

FIRST DAY

Hall of the House of Representatives,
Austin, Texas,
Thursday, September 14, 1933.

In obedience to the proclamation of Her Excellency, Miriam A. Ferguson, Governor of Texas, convening the Forty-third Legislature to meet in Special Session at Austin, the seat of government, this the fourteenth day of September, 1933, the Members of the House of Representatives assembled in Representative Hall, and at 12 o'clock m., the House was called to order by the Hon. Coke Stevenson, Speaker.

PROCLAMATION BY THE GOVERNOR

The Speaker laid before the House, and had read, the following proclamation by the Governor:

Proclamation by the Governor of the State of Texas

To all to whom these presents shall come:

Executive Office,
Austin, Texas, September 7, 1933.

I, Miriam A. Ferguson, Governor of the State of Texas, do, by virtue of authority vested in me by the Constitution of this State, hereby call a Special Session of the Forty-third Legislature to be convened in the City of Austin, commencing at 12 o'clock noon, on Thursday, the Fourteenth day of September, A. D. 1933, for the following purposes:

No. 1. To pass such law or laws as may be necessary to issue twenty million dollars of bonds proposed in Senate Joint Resolution No. 30 at the Regular Session of the Forty-third

Legislature and adopted by the voters of Texas at an election duly held on the twenty-sixth day of August, A. D. 1933.

No. 2. To consider and pass such legislation as may be deemed necessary to amend, change, or repeal existing laws affecting and controlling trusts, conspiracies against trade, and monopolies.

No. 3. To make needed appropriations for refrigeration at the Governor's Mansion and needed work on the grounds of the Governor's Mansion.

No. 4. To consider and act on such other subjects and questions as I, as Governor, may, from time to time during said Called Session, submit by message or otherwise to the Legislature.

The Secretary of State will hereby take notice of this action and notify the Members of the Legislature.

Done at Austin, Texas, on this, the seventh day of September, A. D. 1933, under the seal of the State properly attested by the Secretary of State.

(Signed) MIRIAM A. FERGUSON,
(Seal) Governor of Texas.

Attested:

W. W. HEATH,
Secretary of State.

The roll of the House was called, and the following Members were present:

Mr. Speaker.	Barron.
Adamson.	Beck.
Aikin.	Bedford.
Alexander.	Bourne.
Alsup.	Bradley.
Anderson	Burns.
Baker.	Butler.
Barrett.	Camp.

Canon.	Long.
Cathey.	Lotief.
Caven.	Mackay.
Celaya.	Magee.
Chastain.	McClain.
Clayton.	McCullough.
Colson.	McGregor.
Cowley.	McKee.
Crossley.	Merritt.
Daniel.	Metcalfe.
Davidson.	Mitcham.
Dean.	Moffett.
Devall.	Moore.
Dunlap.	Morrison.
Dunagan.	Morse.
Duvall.	Munson.
Dwyer.	Palmer.
Engelhard.	Parkhouse.
Fain.	Patterson.
Few.	Pavlica.
Fisher.	Pope.
Ford.	Puryear.
Fuchs.	Ratliff.
Glass.	Ray.
Golson.	Reader.
Good.	Reed of Bowie.
Goodman.	Reed of Dallas
Graves.	Renfro.
Greathouse.	Riddle.
Griffith.	Roberts.
Hankamer.	Rogers of Hunt.
Harman.	Rogers
Harris.	of Ochiltree.
Harrison.	Rollins.
Hartzog.	Ross.
Head.	Russell.
Hester.	Savage.
Hicks.	Scarborough.
Hill of Brazoria.	Scott.
Hill of Webb.	Shannon.
Hodges.	Shults.
Holekamp.	Smith.
Holland.	Stanfield.
Holloway.	Steward.
Hoskins.	Stinson.
Huddleston.	Stovall.
Hughes.	Stubbeman.
Hunt.	Tarwater.
Hyder.	Tennyson.
Jackson.	Thomas.
Jefferson.	Tillery.
Johnson	Townsend.
of Anderson.	Turlington.
Jones of Atascosa.	Van Zandt.
Jones of Runnels.	Vaughan.
Jones of Shelby.	Wagstaff.
Kyle of Hays.	Walker.
Kyle of Palo Pinto.	Weinert.
Laird.	Wells.
Latham.	Winningham.
Lemens.	Wood.
Leonard.	Young.
Lindsey.	

Absent

Nicholson.

Absent—Excused

Calvert.	Kayton.
Coombes.	Mathis.
James.	McDougald.
Johnson	Ramsey.
of Dimmit.	Sullivant.

A quorum was announced present.
Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. McDougald for today and the balance of the week, on motion of Mr. Parkhouse.

Mr. Ramsey for today, on motion of Mr. Long.

The following Members were granted leaves of absence on account of illness:

Mr. Mathis for today and the balance of the week, on motion of Mr. Morse.

Mr. Kayton for today and the balance of the week, on motion of Mr. Anderson.

Mr. Calvert for today, on motion of Mr. Beck.

Mr. Sullivant for today, on motion of Mr. Van Zandt.

Mr. Johnson of Dimmit for today and the balance of the week, on motion of Mr. Ford.

Mr. James was granted leave of absence for today on account of the death of his brother, on motion of Mr. Griffith.

COMMUNICATION IN REGARD TO
ILLNESS OF HON. A. P.
JOHNSON

The Speaker laid before the House, and had read, the following communications:

Rocksprings, Texas,
September 11, 1933.

Mrs. Louise Snow Phinney, Chief Clerk.

Dear Mrs. Phinney: The enclosed certificates will be self-explanatory. We would like very much to be with you but Mr. Johnson's condition forbids. We have had a hard summer, but things look brighter now. Mr. Johnson's condition was serious for awhile even after we came here, but now he seems to be gaining some strength.

Mr. Johnson will appreciate it very much if you will have the certificates read and printed in the Journal.

Kindest personal regards.

MRS. A. P. JOHNSON.

I, B. E. Pickett, M. D., of Carrizo Springs, Dimmit County, Texas, and county health officer of said county, hereby certify that since July 18, 1933, I have treated A. P. Johnson of Carrizo Springs, and it is my opinion that he is suffering from nervous collapse, evidenced in the form of acute asthma. During July and August he suffered three severe paroxysms, and is and has been continuously attended by a special nurse. He is now in Rocksprings, trying to recuperate, is being maintained on a liquid diet, and is weak and unable to attend to his business or professional duties. His recovery will be slow, and I know that he is physically unable, with any degree of safety, to attend the Special Session of the Legislature, convening in Austin on the fourteenth instant, and I have advised him to that effect.

Signed September 10, 1933.

B. E. PICKETT.

Rocksprings, Texas,
September 11, 1933.

This is to state that I, A. D. Welch, M. D., of Rocksprings, Texas, and county health officer of Edwards County, have, for nearly four weeks, been attending Mr. A. P. Johnson, of Carrizo Springs, Texas, who is now here, and part of my attention has been in conjunction with Dr. B. E. Pickett, of Carrizo, Springs, Texas.

It is my opinion that Mr. Johnson is suffering from a nervous breakdown. He has asthma in acute form, and requires special nursing. He is on a liquid diet, is confined, weak, and unable to work, and, in my opinion, it would be very dangerous for him to try to attend the Special Session of the Legislature, soon to convene in Austin, and I have so advised him.

A. D. WELCH, M. D.

PROVIDING FOR COMMITTEES TO NOTIFY GOVERNOR AND SENATE OF ORGANIZATION OF THE HOUSE

Mr. Harman offered the following resolution:

Be it resolved, That the Speaker appoint two committees of five Members each, one to notify the Governor, and the other to notify the Senate,

that the House of Representatives is now organized and ready to transact business.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committees:

To notify the Governor: Messrs. Anderson, Smith, Fisher, Mackay, and Tillery.

To notify the Senate: Messrs. Moore, Palmer, Reed of Bowie, Young, and Townsend.

RELATIVE TO DEATH OF THE HON. B. FRANK HAAG

Mr. McGregor moved that a committee of five Members be appointed, with instructions to draft a suitable resolution in regard to the death of the Hon. B. Frank Haag, and that the resolution be submitted to the House.

The motion prevailed.

OATH OF OFFICE ADMINISTERED

The Speaker laid before the House, and had read, the following certificate of election of Hon. Frank Stubbeman, of the Eighty-eighth District:

Pecos, Texas, September 9, 1933.

Mr. Frank Stubbeman, Midland, Texas.

Dear Sir: I hereby certify that the election results in the special election, held on August 26, 1933, to elect a Representative to the State Legislature from this, the Eighty-eighth District, as such results have been received by me from the county judges in the district, are as follows:

County	For Frank Stubbe- man	For Bert F. Howell
Reeves	322	366
Presidio	158	338
Jeff Davis	106	59
Loving	78	18
Winkler	218	113
Ward	225	197
Ector	197	115
Crane	45	98
Pecos	197	502
Midland	755	32
Martin	360	110
Andrews	69	23
Upton	56	391
Totals	2,786	2,362

These results show that Frank Stubbeman received a majority of the votes cast for said office. I, therefore, declare you elected, and issue you this certificate of election to the office of State Representative of the Eighty-eighth District.

J. B. WOOLFOLK,
County Judge of Reeves County,
State of Texas.

Subscribed and sworn to before me,
this the ninth day of September, 1933.

VANNIE INGLE HESTER,
(Seal) County Clerk of Reeves
County, Texas.

The Speaker announced the appointment of the following committee to escort Mr. Stubbeman to the Speaker's stand for the purpose of having him take the constitutional oath of office: Messrs. Lemens, Hyder, and Scott.

The committee having performed its duty, Mr. Stubbeman took the constitutional oath of office, which was administered to him by Hon. Coke Stevenson, Speaker.

Mr. Stubbeman, being introduced by Mr. Stevenson, addressed the House.

SENATE NOTIFIED

The committee, appointed to notify the Senate that the House is now organized and ready for the transaction of business, appeared at the Bar of the House, and, being duly announced, stated that they had performed the duty assigned them.

GOVERNOR NOTIFIED

The committee, appointed to notify the Governor that the House is now organized and ready for the transaction of business, appeared at the Bar of the House, and, being duly announced, stated that they had performed the duty assigned them.

RECESS

On motion of Mr. Anderson, the House, at 12:20 o'clock p. m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

COMMITTEE TO DRAFT RESOLUTION IN MEMORY OF THE HON. B. FRANK HAAG

The Speaker announced the appointment of the following committee, in accordance with a motion by Mr. McGregor, heretofore adopted, to draft a resolution in memory of the Hon. B. Frank Haag: Messrs. McGregor, Metcalfe, Stubbeman, Scott, and Thomas.

RESIGNATION OF CALENDAR CLERK

The Speaker laid before the House, and had read, the following communication from Gladys Nichols, Calendar Clerk:

Austin, Texas, September 14, 1933.

To the Hon. Coke Stevenson, Speaker,
and Members of the House of
Representatives:

In view of my present position in the State Highway Department, I present, with a great deal of regret, my resignation as Calendar Clerk of the Forty-third Legislature.

The many courtesies extended to me by Members of the House have been greatly appreciated, and I shall always value the kindly associations and friendships which I have enjoyed during the ten years I have worked at this desk.

Sincerely yours,
GLADYS NICHOLS.

On motion of Mr. Lotief, the House accepted the resignation.

ELECTION OF CALENDAR CLERK

The Speaker announced that the next business in order is the election of Calendar Clerk.

Hon. George Moffett, of Hardeman County, nominated Johnnie Mae Watson for Calendar Clerk.

Hon. Olan R. Van Zandt, of Grayson County, nominated Horrace G. Parrish for Calendar Clerk.

Hon. J. C. Duvall, of Tarrant County, nominated Floris Smith for Calendar Clerk.

Hon. W. T. Savage, of Dallas County, seconded the nomination of Johnnie Mae Watson.

Hon. Paul Hill, of Webb County, seconded the nomination of Floris Smith.

Hon. C. D. Bourne, Jr., of Red River County, seconded the nomination of Horrace G. Parrish.

The Speaker announced the appointment of the following tellers to take up and count the vote: Messrs. Walker, Morse, Harman, and Savage.

The vote being taken up and counted resulted as follows:

Floris Smith received 63 votes.

Horace Parrish received 19 votes.

Johnnie Mae Watson received 48 votes.

No candidates having received a majority of all votes cast, a second ballot was ordered.

The second vote being taken and counted resulted as follows:

Floris Smith received 70 votes.

Johnnie Mae Watson received 62 votes.

Floris Smith having received a majority of all votes cast was declared duly elected Calendar Clerk of the House.

OATH OF OFFICE ADMINISTERED

Floris Smith, having been escorted to the Speaker's stand, then took the constitutional oath of office, which was administered to her by Hon. Coke Stevenson, Speaker.

COMPLETING ORGANIZATION OF THE HOUSE

Mr. Harman offered the following resolution:

Whereas, It is the duty of the State of Texas to furnish the House of Representatives and its Members with the proper facilities, employes, and supplies, to permit them to conduct and transact their official business in a businesslike and efficient manner; therefore, be it

Resolved, by the House of Representatives of the Forty-third Legislature of the State of Texas, That the Speaker of the House shall appoint the following employes for the First Called Session of the Forty-third Legislature, to serve for such compensation as is herein provided, unless otherwise specified:

1. Parliamentarian to the House, at \$7.50 per day.

2. Two secretaries to the Speaker, at \$5.00 per day each.

3. One secretary to the Chief Clerk, at \$5.00 per day.

4. One Pay Roll Clerk for the Chief Clerk, \$5.00 per day.

5. One clerk to the Chief Clerk, at \$4.00 per day.

6. One page to the Chief Clerk, at \$2.50 per day.

7. One assistant to the Journal Clerk, at \$7.50 per day.

8. One assistant to the Calendar Clerk, at \$4.00 per day.

9. One clerk to the Committee on Appropriations, at \$7.50 per day.

10. One stenographer for the Committee on Appropriations, at \$5.00 per day.

11. One page for the Committee on Appropriations, at \$2.50 per day.

12. One superintendent of stenographers, at \$6.50 per day.

13. Fifty expert stenographers and typists, at \$4.00 per day, each.

14. Committee clerks as needed, at \$4.00 per day, each.

15. One clerk for the Committee on Contingent Expenses, at \$5.00 per day.

16. One assistant clerk to the Committee on Contingent Expenses at \$4.00 per day.

17. One mailing clerk for the Journal, at \$4.00 per day.

18. One assistant mailing clerk for the Journal, at \$3.50 per day.

19. One supply clerk and storekeeper, at \$3.00 per day.

20. One assistant supply clerk, at \$2.50 per day.

21. One page to the Committee on Contingent Expenses, at \$2.50 per day.

22. One porter to the Committee on Contingent Expenses, at \$2.50 per day.

23. One page to the Doorkeeper, at \$2.50 per day.

24. One page for the enrolling and engrossing rooms, at \$2.50 per day.

25. One page for the stenographic force, at \$2.50 per day.

26. One messenger to carry papers to the Confederate Homes, at \$2.50 per day.

27. Thirty pages, at \$2.50 per day.

28. One multigraph and/or mimeograph clerk, at \$4.00 per day.

29. One secretary to Mr. Van Zandt, at \$3.00 per day.

30. One secretary to Mr. Alsup, at \$3.00 per day.

31. One secretary to Mr. Hicks, at \$3.00 per day.

32. Three assistant Sergeants-at-Arms, at \$4.00 per day, each.

33. One night watchman, at \$3.00 per day.

34. One assistant night watchman, at \$2.50 per day.

35. Ten porters, at \$2.00 per day.

36. One superintendent of porters, at \$3.50 per day.

37. Two elevator boys, at \$2.00 per day, each.

38. One day houseman, at \$2.50 per day.

39. One night houseman, at \$2.50 per day.

40. One chief operator for voting machine, at \$7.50 per day.

41. One assistant operator for voting machine, at \$5.00 per day.

Be it further

Resolved, That it shall be the duty of the Speaker, and he is hereby empowered, to dispense with the services of any employe who, in his judgment, is not further needed; or for the misconduct of any employe, and he shall have the power to appoint extra help whenever, in his judgment, it is needed. The duties of the employes heretofore mentioned shall be such as are required by the Speaker of the House of Representatives.

Any of the employes may be excused by the Speaker for causes deemed by him sufficient; provided further, that any employe who shall absent himself without leave shall not receive any compensation for the time missed during his absence. The salaries of the employes shall begin when they are instructed to begin work by the Speaker; be it further

Resolved, That each Member of the House of Representatives of the Forty-third Legislature be, and is herewith allowed a credit in the sum of \$30 each with the Committee on Contingent Expenses for expenditure for stationery, supplies, postage, telephone tolls and or telegraph tolls. The Speaker shall be allowed an additional \$30, the Chief Clerk shall be allowed \$30, the Committee on Contingent Expenses shall be allowed \$20, the Committee on Appropriations shall be allowed \$20, and that the Sergeant-at-Arms shall be allowed \$7.50 for stamps and supplies.

The Committee on Contingent Expenses shall procure and keep for the use of the House, its Members, officers, and committees, such stationery, stamps, and other supplies as may be needed and ordered by the House, the

Speaker, and/or the chairman of the Committee on Contingent Expenses. The clerk of this Committee shall keep an itemized account of the quantity of every kind of material received, the date it was received, the price paid therefor, and the person from whom it was received. The unused remainder, if any, shall be delivered at the close of the session to the Board of Control for safekeeping. The office of this Committee shall be kept open daily, except on Sundays, from 8:30 a. m. until one hour after the adjournment of the House and on Sundays, from 9:00 a. m. to 11:00 a. m. The Committee shall keep a set of books, containing an account for each Member, officer, and/or Committee authorized by the House, to expend stationery, supplies, stamps, telephone, and/or telegraph tolls, and shall charge to each such account its daily withdrawals. The clerk of the Committee shall furnish a statement to each of the accounts, monthly, or when requested.

The Committee on Contingent Expenses shall have jurisdiction over the mailing of the Journal.

Each Member shall be furnished with two weekly and/or daily newspapers, of his own selection.

Each Member shall be furnished with a post-office box, rent of which is to be paid by the Committee, if requested by a Member.

All requisitions for paper and supplies necessary for the preparation of bills and/or resolutions, for the use of the enrolling and engrossing rooms and/or the standing committees of the House shall be under the direction and care of the Committee on Contingent Expenses. This Committee is also authorized to rent a sufficient number of typewriters and other business machines for the use of the House and its employes and to furnish same with proper materials; be it further

Resolved, That twelve hundred copies of the House Journal be printed daily; one hundred to be delivered to the Senate, one copy to be placed on each Member's desk daily, seventy-five copies to be delivered to the State Library, and the remainder to be left with the Committee on Contingent Expenses for distribution under the direction of the Speaker;

Resolved further, That no allowances included in this resolution shall be expended except for actual salaries and/or actual expenses of the House, its Members, officers, commit-

tees and/or employes hereinabove named. All such funds necessary to be expended in payment of the above shall be paid out of the contingent expense fund of the House.

The Speaker is hereby authorized to appoint two or more persons to perform the service imposed on any position created hereby and to apportion the time and compensation between such appointees, provided the total of such divided compensation shall not exceed the amount herein fixed for such position.

The resolution was read second time, and was adopted.

HOUSE NOTIFIED

A committee from the Senate appeared at the bar of the House and, being duly announced, stated that the Senate is now organized and ready for the transaction of business.

ADDRESSES BY CONGRESSMAN RICHARD J. KLEBERG AND HON. GEORGE B. TERRELL

Hon. Richard J. Kleberg, Congressman from Kleberg County, being introduced by Speaker Stevenson, addressed the House of Representatives on relief work in the Rio Grande Valley.

Hon. George B. Terrell, of Cherokee County, being introduced by Speaker Stevenson, addressed the House.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read the following message from the Governor:

Executive Office,
Austin, Texas, September 14, 1933.
To the Forty-third Legislature, in
Special Session convened:

I congratulate your Membership upon your presence in response to my official proclamation convening you in Special Session. I trust that your return to your homes and firesides upon the adjournment of the Regular Session was met with cordial reception. I trust that your stay at home has been attended with pleasure and satisfaction to yourselves, and that you are now refreshed from the arduous labors of the Regular Session.

I trust that every Member comes to this session fully imbued with the desire for needed service and with

a determination to grapple with the problems that now confront the people which need your serious and devoted consideration. I again want to emphasize my desire to co-operate with you to the fullest extent in order that we may continue our friendly relation. Let me again say that every Member of the Legislature is welcome to visit the Governor's Office for business, pleasure or entertainment.

Purpose No. 1 in the proclamation convening you is "to pass such law or laws as may be necessary to issue twenty million dollars of bonds proposed in Senate Joint Resolution No. 30 passed at the Regular Session of the Forty-third Legislature and adopted by the voters of Texas at an election duly held on the twenty-sixth day of August, A. D. 1933." As there appears to be some considerable difference in opinion as to what legislation should be passed to carry out this edict of the people, I beg to advise that I have taken the liberty to cause to be prepared a bill dealing with this question and same is hereto attached, marked "Exhibit A" and made a part hereof. While said bill embodies my views as to how best to make this relief fund available, I want to say that it is submitted for your serious consideration and at least as a basis for discussion. Although it represents some consideration and preparation, yet I trust that you will carefully consider the same purely upon its merits and either adopt, amend, or change in such way and form as you may think necessary or proper.

The second purpose in the proclamation convening you is "to consider and pass such legislation as may be deemed necessary to amend, change, or repeal existing laws affecting and controlling trusts, conspiracies against trade, and monopolies." I assume that you understand as well as I that the request for such legislation is made necessary in line with the passage by the National Congress of what is known as the National Industrial Recovery Act and for the purpose of bringing about a full co-operation and co-ordination of State and National agencies to relieve our country from the afflictions of the depression. To bring about such result and have the same attended with a cordial relation with the National Adminis-

tration and to put our State in the front line of patriotic endeavor to again achieve National prosperity, I have prepared, or rather copied, another bill which I am officially advised is satisfactory to the National Administration, and I transmit same to you marked "Exhibit B" for your full consideration. I, however, have added Section 5 to said bill, and it reads as follows:

"Section 5. While this Act continues in effect, and for sixty days thereafter, the provisions of Title 126, of the Revised Civil Statutes of the State of Texas, 1925 revision and all amendments thereto, and the provisions of Chapter 3, of Title 19, of the Penal Code of the State of Texas, 1925 revision and all amendments thereto, and all other laws of this State relating to trusts, monopolies, and or conspiracies in restraint of trade shall be, and the same are hereby, suspended."

It is my view that this clear-cut declaration of the policies of our State pending the depression should be adopted and thereby prevent any conflict or confusion that might arise between the State and National authorities if prosecution of anybody should take place under what has heretofore been deemed a violation of our anti-trust laws but which is now under the National Industrial Recovery Act permitted and authorized to be done.

Our National Congress has thought it wise to suspend all anti-trust law prosecution pending our National recovery, and if the high and noble purposes of our President are to be attained, each State of the Union should fall in line with the general idea and purpose. It would be wonderful if our dear Lone Star State should be the first to lead the way.

To further carry out the public works program of the National Industrial Recovery Act, I submit for your consideration, under authority of my proclamation, the question of passing such laws as may be necessary for our State to receive the benefit of the Federal Emergency Administration of Public Works, and in order that any county, city, or town may act on resolution of its governing body for the major purpose of relieving unemployment. To more fully bring the matter to your attention, I have prepared

another bill marked "Exhibit C" and made a part hereof and submit same for your consideration. I think the passage of this character of legislation is absolutely essential if our State is to receive the full benefits of the public works program to be inaugurated by the National Administration. It may mean the expenditure of many millions in our State that will go into the channels of business and restore the full dinner pail.

Exhibit A

"An Act providing for the issuance of certain State bonds as provided for by Section 51-a, of Article III, of the Constitution of Texas; providing for the issuance of 9,000 bonds of the par value of \$1,000 each; providing for the future issuance of the remainder of said bonds; providing that the total amount of said bonds so issued shall in no event exceed \$20,000,000; providing for the method of issuance of said bonds; providing for the general form of said bonds; providing for the registration of said bonds by the State Treasurer and the deposit of said bonds with said officer; providing for the creation of the State Bond Commission; providing for the duties of said Commission; providing for the method of sale of said bonds by said Commission; providing for the use and distribution of the proceeds from the sale of said bonds by the Texas Rehabilitation and Relief Commission; providing for the method of distribution of said funds by said Commission; providing for authority to be vested in the Texas Rehabilitation and Relief Commission to adopt governmental regulations; providing a method of retirement and for the retirement of said bonds and the interest thereon and making appropriation for the payment of interest during the biennium ending August 31, 1933; providing for an appropriation of \$50,000 per year for the use of the Texas Rehabilitation and Relief Commission in administering bond funds; providing for the destruction of issued and unsold bonds; providing for the return of any unused moneys derived from the sale of said bonds to the Special Interest and Sinking Fund of State Relief Bonds; providing for a repeal of all laws and/or parts of laws in conflict with the provisions hereon; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. From and after the effective date of this Act, the Governor of the State of Texas is hereby authorized and instructed to issue upon the faith and credit of the State of Texas certain bonds of the State of Texas; as provided for by Section 51-A of Article 3 of the Constitution of Texas, the issuance of said bonds shall be made at the time, in the manner, in the form and in the amount as hereinafter provided.

Sec. 2. Each and every State bond, the issuance of which is hereby provided for, shall be signed by the Governor, attested by the Secretary of State under the seal of the State of Texas, countersigned by the State Comptroller of Public Accounts, approved as to form by the Attorney General of Texas, and registered by the State Treasurer of Texas. Each of said bonds shall be in the amount of \$1,000 and shall bear such interest and shall be redeemed at such time and such place as may be provided by the hereinafter created State Bond Commission, except as otherwise provided herein; provided, however, that said Commission shall in no event create said bonds so as to provide therein that the rate of interest to be payable thereon shall be more than four and one-half (4½%) per centum per annum of the face value thereof, and providing further that in no event shall the said State Bond Commission as hereinafter created provide that said bonds or any of them shall have a maturity or redemption date of a time longer than ten (10) years from and after the issuance of said bond or bonds. The said bonds shall be made in the name and by the authority of the State of Texas, and shall be in such general form as may be agreed upon by the hereinafter created State Bond Commission and as approved by the Attorney General of Texas; provided, however, that such bonds provide for their retirement by payment by the State of Texas of a portion of the principal of said bonds annually, as well as the payment of all interest semi-annually at definite dates to be set by the hereinafter created State Bond Commission; provided, however, that the first payment of the principal thereof on any of said bonds

issued under authority hereof shall be made at the date to be fixed by the Commission during the fiscal year beginning September 1, 1935; and provided that said payments to be made subsequent to September 1, 1935, shall be amortized so that the total payments of interest and principal will be approximately the same for each remaining fiscal year during the life of said bonds. Said bonds shall provide that the indebtedness as evidenced by said bonds shall never become a charge against or lien upon any property real or personal within this State.

Sec. 3. For the purpose of issuing and selling the bonds of the State of Texas, the issuance of which is herein provided for, there is hereby created an official commission for the State of Texas, to be known as the State Bond Commission (referred to herein as the Commission), to be composed of seven members, as follows: The Governor of Texas, who shall be chairman of the Commission; the Lieutenant Governor; Attorney General; Comptroller of Public Accounts; State Treasurer; Secretary of State, and the Director of the Texas Rehabilitation and Relief Commission. The Secretary of State shall be secretary of the Commission, and shall keep the minutes of all proceedings of the Commission in a book to be kept as a public record in the archives of his office. The Commission shall meet at any and all times as may be necessary to carry out the provisions hereof and the purposes for which it was created, upon the call of the chairman, or any three members of the Commission.

Sec. 4. The issuance of twenty million dollars of said bonds is hereby authorized in the following manner:

Immediately upon the application of the Texas Rehabilitation and Relief Commission for the sale of all, or any part, of nine million dollars of said bonds, the State Bond Commission shall proceed to issue and sell in the manner herein provided, all of said nine million dollars of bonds, or such part of said nine million dollars of bonds as may be requested by said Rehabilitation and Relief Commission, and if a part of said bonds only be sold, upon the further request of the Rehabilitation and Relief Commission in the same manner the State Bond Commission shall make further sale

and/or sales until all of said nine million dollars of bonds shall have been issued and sold. After the issuance in the name of and upon the faith and credit of the State of Texas as above provided for the nine million dollars of State bonds as above mentioned, the remainder of said bonds shall be issued only when a majority of the total membership of the said State Bond Commission shall direct the issuance of additional bonds from time to time, and said order and/or orders shall state the amount of said bonds to be issued. When the issuance of any additional bonds has been authorized by said State Bond Commission, same shall be immediately issued in the same manner as the \$9,000,000 of bonds directed to be issued hereinabove. In no event shall the total amount of the bonds issued under authority of this Act exceed a total face value of more than \$20,000,000. No bond as provided for hereunder shall be issued from and after the 15th day of September, A. D. 1935.

Sec. 5. After any bond or bonds, as herein provided for, has or have been issued as hereinabove provided for, the said bond or bonds shall be immediately deposited with the State Treasurer of Texas for registration and safekeeping, and it shall be the duty of said officer to keep a record of said bonds so deposited with him in a special book procured and kept for that purpose. The State Treasurer shall also keep a record of any and all bonds received from him in the method as hereinafter provided.

Sec. 6. The Texas Rehabilitation and Relief Commission may make application to the said State Bond Commission asking that said Commission issue and have issued as authorized herein and sell additional bonds to meet the needs of the said Texas Rehabilitation and Relief Commission, in administering State funds, whereupon a meeting of the said State Bond Commission shall be called and it shall consider the said application, and if in its discretion it shall decide that the amount of money as applied for by the Texas Rehabilitation and Relief should be made available to said body, the said State Bond Commission shall offer for sale and sell a sufficient number of bonds so as to procure from the sale thereof the amount of money so needed by the said Texas Rehabilitation and Relief Commission. If, however, the said

State Bond Commission shall decide that the amount of money as applied for by the said Rehabilitation and Relief Commission should not be made available to it, but, that a lesser sum should be made available to said Relief Commission, or that no sum should be made available, then it shall be the duty and power of the said State Bond Commission to offer for sale and sell a sufficient number of bonds as will provide for the amount of money that it has deemed a sufficient sum that should be made available to the Texas Rehabilitation and Relief Commission; and in case it shall have deemed or decided that no sum of money should be made available at that time to the said Texas Rehabilitation and Relief Commission, it shall be the duty of and the said State Bond Commission shall have the authority to refuse to sell any bonds at that time for the use of said Rehabilitation and Relief Commission.

If at any time after an application has been made to it by the Texas Rehabilitation and Relief Commission for the sale of bonds the State Bond Commission deems it expedient to sell any amount of bonds following said application as well as upon the sale of the first \$9,000,000 of said bonds, it shall be the duty of the State Bond Commission to make an order in writing upon the State Treasurer of Texas for the delivery to it of the number of bonds, the sale of which has been ordered by the State Bond Commission, and it shall be the duty of the State Treasurer of Texas to deliver said bonds to said State Bond Commission, for the purpose of procuring the sale thereof, and shall receive a written receipt therefor from said Commission.

Sec. 7. Whenever the State Treasurer shall deliver to the Commission any number of bonds for the purpose of procuring the sale thereof, it shall be the duty of the Commission to offer the same for sale, and to sell the same in the following manner: The notice of the time and place for the offering for sale of the amount of bonds to be offered at such sale shall be publicly made known by the Commission by publication thereof in a newspaper of general public circulation in Travis County, Texas, which publication shall be made for at least once a week for two consecutive weeks prior to the day of the offering for sale of such bonds and the publication shall state

the number of said bonds to be offered for sale, the maturities of said bond, the individual and total amounts of the same, the minimum price for which said bonds may be sold and the general terms concerning said sale, which said Commission shall have the authority to prescribe.

Sec. 8. Any person, partnership, corporation or other concern which may wish to make an offer for the purchase of said bonds shall, within forty-eight (48) hours before the said bonds are to be offered for sale by the Commission place and file with the secretary of the Commission his or its sealed bid stating therein the cash price for which said person or concern offers for the bonds offered for sale on said date by the Commission; provided, however, that such person, firm, corporation or other concern who may or which may place or file with the Commission his or its sealed bid or offer for the purchase of the bonds offered for sale by the Commission shall file with the Commission his or its certified check in the sum of not less than 5 per cent of the par value of the bonds offered for sale on said advertised date, payable to the Commission, which said amount of money evidenced by said certified check shall be construed to be and used by the State of Texas as liquidated damages in case such person, firm, corporation or other concern making deposit of such certified check shall be awarded the contract of the purchase of said bonds offered for sale by the Commission on said advertised date and should fail or refuse to comply with all of the terms of his or its contract of purchase of bonds from the Commission acting for and in behalf of the State of Texas. Whenever the Commission has awarded a contract to any person, partnership, corporation or other concern for the purchase of bonds on the date advertised for the sale thereof, it shall be the duty of the Commission to deliver the certified check of the person or concern to which the above mentioned contract has been let to the State Treasurer of Texas to be kept by him separate and apart from any and all other funds of the State Treasurer of Texas until such time as he shall be ordered to return such certified check to the person or concern from whom he has received the same by the Commission, or ordered by the Commission to credit

same to the credit of the interest and sinking fund of said bonds as liquidated damages for failure of the bidder to comply with his or its contract. The Commission shall have the power to sell bonds on any advertised date as above provided for to any responsible person, partnership, corporation or other concern who shall have made a satisfactory bid in cash therefor, provided, however, that the price for which said bonds shall be sold shall in no event be in a sum less than the par value of said bonds and the accrued interest thereon, and the Commission shall have the right to reject any and all bids so filed with it by any person or concern offering to buy said bonds, in which event it shall be the duty of the Commission to readvertise the said bonds as above provided and again offer for sale at a date stipulated in said readvertisement. The Commission shall also have the power to sell to the Reconstruction Finance Corporation or to any other governmental agency, the entire amount of bonds offered for sale by the Commission on any particular date, or any part thereof, either at such public sale or at private sale, and it shall not be necessary as a prerequisite of its purchase of such bonds that the Reconstruction Finance Corporation or such other agency of government offering to buy said bonds shall make a sealed bid as required of persons and private concerns, and it shall not be necessary as a prerequisite of its purchase of said bonds that the Reconstruction Finance Corporation or other governmental agency should file with the Commission the certified check above referred to as required of persons and private concerns; provided, however, that the Commission shall not sell to the Reconstruction Finance Corporation or other governmental agency any of said bonds at a price less than the par value thereof and accrued interest thereon. No commission, directly or indirectly, shall be allowed upon the sale of said bonds or any of them.

Sec. 9. Whenever any of the above-described bonds have been sold by the Commission in the manner as herein provided for, the bonds sold shall be delivered by the Commissioner to the purchaser upon payment in lawful money of the United States of America of the purchase price, and the money derived from the sale thereof shall be immediately de-

posited by the Commission with the State Treasurer of Texas to be safely kept by him in a fund separate and apart from any and all other funds of the State of Texas, to be known as "State Relief Bond Account," said fund or account to be kept in the name of the Texas Rehabilitation and Relief Commission, and subject only to lawful warrants drawn at the order of said Rehabilitation and Relief Commission.

Sec. 10. In order to avoid conflict with and to secure uniformity of administration, the money derived from the sale of the bonds herein authorized shall be distributed for the purposes as enumerated in Section 51-a of Article 3 of the Constitution of Texas by the Texas Rehabilitation and Relief Commission in the same manner and under the same regulations as the said Texas Rehabilitation and Relief Commission has been empowered to dispense the funds of the Federal Government placed in Texas for the relief of the destitute and or the unemployed as provided in Chapter 141 of the Acts of the Forty-third Legislature at its Regular Session, and on page 365 of the General Laws thereof. The said Rehabilitation and Relief Commission shall also be subjected to such rules and regulations as the Federal Government has or may from time to time enact or pass regarding or concerning the distribution of Federal funds in Texas to be used for like purpose by said Rehabilitation and Relief Commission in and of said State bond funds. It is the purpose of this Act to authorize, empower and require the Texas Rehabilitation and Relief Commission to adopt the same rules and regulations as may now exist or may hereafter be adopted by the Federal Government when the said Rehabilitation and Relief Commission expends any of the moneys derived from the sale of said bonds as it is subjected to in the disbursement of like bonds of the Federal Government, and the said Relief Commission shall account for said bond funds expended by it or under its direction to the State Bond Commission monthly in the same manner that it now accounts to the Federal Government for Federal relief funds, expended by it or under its direction.

Sec. 11. And any all bonds, as well as all interest thereon issued and sold under authority and direction of this Act, shall be redeemed in the following manner:

From and after the effective date hereof the State Treasurer of Texas as he receives any and all moneys obtained for the use and benefit of the General Revenue Fund of the State of Texas, other than any tax on real property, shall set up a special and separate fund from one-twelfth of said sums of money so received until September 1, 1935; the remaining eleven-twelfths to be placed by said State Treasurer in the General Revenue Funds of the State of Texas as now provided by law, and beginning September 1, 1935, and until said bonds and all interest thereon are finally paid, one-fourth of all of any sums of money other than any tax on real property received by the State Treasurer of Texas, for the use and benefit of the General Revenue Funds of the State of Texas, shall be placed in said special and separate fund and the remaining three-fourths shall be placed to the credit of the General Revenue Funds of the State of Texas, as provided by law. Said special and separate fund shall be kept by said State Treasurer as a special interest and sinking fund out of which the interest of said bonds shall be paid, and out of which the said bonds shall be redeemed, to be known as "Special Interest and Sinking Fund of State Relief Bonds."

And there is hereby appropriated for the years ending August 31, 1934, and August 31, 1935, an amount for each of said years out of said Special Interest and Sinking Fund of State Relief Bonds equivalent to the amount of interest on any outstanding bond maturing during each of said years, and the State Treasurer is hereby directed to make payment of said interest as it matures out of any funds in the State Treasury to the credit of said "Special Interest and Sinking Fund of State Relief Bonds."

Sec. 12. If on the fifteenth day of September, A. D. 1935, all of the bonds which have been issued by direction of law and as provided for under the provisions of Section 51-a, of Article III, of the Constitution of Texas have not been sold, it shall be

the duty of the State Treasurer in the presence of at least three other members of the Commission, the Governor of Texas included, to destroy by burning any issued and unsold bonds and any interest coupons appended thereto and after said bonds have been destroyed by burning as above provided, it shall be the duty of said members of said Commission to make a certificate in writing to the effect that said bonds were destroyed in accordance with the provisions of this law and giving the date on which said bonds were destroyed by the State Treasurer, and file said certificate in the office of the Secretary of State of Texas.

Sec. 13. If at the time the Texas Rehabilitation and Relief Commission has ceased to function as a body there shall remain with the State Treasurer any sums of money which have been derived from the sale of any of the said bonds, it shall be the duty of said State Treasurer to transfer said money out of said special account to the Special Bonds Interest and Sinking Fund account.

Sec. 14. No member of the Commission shall be entitled to any additional emoluments of office for the carrying out of the duties herein entrusted to him, but each and all members of the said Commission shall be reimbursed by the State for his actual expenses expended by him in the execution of his official duties as directed herein.

Sec. 15. The Commission as herein created shall, upon the taking effect of this Act, become and constitute an official Commission of the State of Texas, and shall continue as such for a period of two years from and after the effective date hereof. Upon the expiration of two years from and after the effective date hereof, the Commission shall cease to exist.

Sec. 16. The proceeds of the sale of any of said bonds sold during each of the years of the biennium ending August 31, 1935, are hereby appropriated to the Texas Rehabilitation and Relief Commission for the said biennium for the purposes and subject to the restrictions as set out hereinabove, provided that \$50,000 per fiscal year or so much thereof as may be necessary is hereby appropriated out of said bond funds to be used by said Relief Commission for use in

administering the State office of the Texas Rehabilitation and Relief Commission during such year of said biennium.

Sec. 17. All laws and/or parts of laws in conflict herewith be and the same are hereby repealed.

Sec. 18. The fact that there are now in Texas hundreds of thousands of citizens of this State who are unemployed and in destitute circumstances, and the fact that no adequate means have been provided by the State of Texas for their relief and comfort, and the fact that the people of the State of Texas have recently voted overwhelmingly in favor of authorizing the Legislature to issue certain bonds for the relief of the destitute and necessitous people of Texas, and have by their action in said election made demand upon this Legislature to immediately carry their mandate into execution and to furnish a means for the issuance and sale of relief bonds in order that the unemployed and destitute of Texas may be afforded immediate relief, create an emergency and an imperative public necessity demanding the suspension of the constitutional rule, requiring bills to be read on three separate days in each House, and the said rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

Exhibit B

“— B. No. —

A BILL

To Be Entitled

An Act to encourage State and National Industrial Recovery by co-operating with the National Government in fostering fair competition, and for other purposes.”

Be it enacted by the Legislature of the State of Texas:

Section 1. A State-wide emergency productive of widespread unemployment and disorganization of industry, which burdens commerce, affects the public welfare, and undermines the standards of living of the people of this State is hereby declared to exist, and it is hereby recognized that such an emergency exists throughout the nation. It is hereby declared to be the policy of this

State to provide for the general welfare by co-operating with and assisting the National Government in promoting the organization of industry for the purpose of co-operative action among trade groups, to induce and maintain action of labor and management under adequate governmental sanctions and supervision, to eliminate unfair competitive practices, to promote the fullest possible utilization of the present productive capacity of industry, to avoid undue restriction of production (except as may be temporarily required), to increase the consumption of industrial and agricultural products by increasing purchasing power, to reduce and relieve unemployment, to improve standards of labor, and otherwise to rehabilitate industry and conserve natural resources, and otherwise as announced in the Act of Congress entitled: "An Act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes," approved June 16, 1933, and commonly known as the "National Industrial Recovery Act."

Sec. 2. To effectuate the policy of this Act, the Governor is hereby authorized to consent to the President of the United States utilizing State and local officers and employees in effectuating the policies of the National Industrial Recovery Act in accordance with the provisions of Section 2-a of that Act.

Sec. 3-a. No person, natural or artificial, shall refrain from complying with the provisions of any code of fair competition, agreement or license, approved, prescribed, or issued under the terms of the National Industrial Recovery Act on the ground that he is not engaged in transactions in, or affecting "interstate or foreign commerce," as defined in paragraph (d) of Section 7 of Title 1 of the National Industrial Recovery Act.

Sec. 3-b. The terms and conditions of any code of fair competition, agreement, or license approved, prescribed, or issued under the terms of the National Industrial Recovery Act for any trade or industry or subdivision thereof, shall be considered as the standards of fair competition for such trade or industry or subdivision thereof in all its transactions within this State. The violation of such stand-

ards by any person engaged in such trade or industry or subdivision thereof within this State shall be deemed the use of unfair methods of competition.

Sec. 4-a. When a code of fair competition has been approved or prescribed by the President under the National Industrial Recovery Act, any violation of any provision thereof in any transaction within this State not in or affecting "interstate or foreign commerce" within the definition of paragraph (d) of Section 7 of Title 1 of the National Industrial Recovery Act, shall be a misdemeanor and upon conviction thereof an offender shall be fined not more than five hundred dollars (\$500) for each offense, and each day such violation continues shall be deemed a separate offense.

Sec. 4-b. Any person subject to and complying with the terms and conditions of any code of fair competition, agreement, or license, approved, prescribed, or issued under the terms of the National Industrial Recovery Act for any trade or industry or subdivision thereof within this State, or any.....attorney of this State may institute a suit to prevent or restrain any violation of any provision thereof in any transaction within this State not in, or affecting "interstate or foreign commerce" within the definition of paragraph (d) of Section 7 of Title 1 of the National Industrial Recovery Act. The.....courts of this State are hereby invested with jurisdiction to entertain such suits.

Sec. 5. While this Act continues in effect and for sixty days thereafter, the provisions of Title 126 of the Revised Civil Statutes of the State of Texas, 1925 Revision, and all amendments thereto, and the provisions of Chapter 3 of Title 19 of the Penal Code of the State of Texas, 1925 Revision, and all amendments thereto, and all other laws of this State relating to trusts, monopolies and/or conspiracies in restraint of trade, shall be, and the same are hereby suspended.

Sec. 6. In furtherance of the purposes and policies of this Act and of the National Industrial Recovery Act, any department of this State and the governing body of any subdivision, municipal corporation or district, and any public officer or person charged with the letting of contracts for (1)

the construction, alteration or repair of public works or (2) the purchasing of materials or supplies for public use, shall let such contracts only to those persons, natural or artificial, who agree in and by the terms of such contracts to use or supply only articles, materials and supplies mined, produced, manufactured or supplied by a person who is a party or subject to a code of fair competition, agreement, or license, approved, prescribed, or issued under the terms of the National Industrial Recovery Act in every case where a code of fair competition, agreement, or license has been approved, prescribed, or issued under the terms of the National Industrial Recovery Act for the trade or industry or subdivision thereof mining, producing, manufacturing, or supplying such articles, materials or supplies. Any practices in violation of such terms of such contracts shall be deemed the use of unfair methods of competition within the meaning of this Act.

Sec. 7. This Act shall cease to be in effect on June 16, 1935, or sooner if, as provided in paragraph (c) of Section 2 of Title 1 of the National Industrial Recovery Act, the President shall, by proclamation, or the Congress shall, by joint resolution, declare that the National emergency recognized by the National Industrial Recovery Act has ended.

Sec. 8. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Sec. 9. This Act is hereby declared to be an urgent emergency measure necessary for the immediate preservation of the general welfare of the people of the State and shall, therefore, go into effect immediately to promote co-operation with the National Government in the enforcement of the National Industrial Recovery Act.

Sec. 10. This Act may be known and cited as the State Industrial Recovery Act.

Exhibit C

"H. B. No. —

A BILL

To Be Entitled

An Act declaring a State-wide emergency productive of wide-spread unemployment affecting the public welfare, and declaring it to be the policy of this State to provide for the general welfare by co-operating with and assisting the National Government in carrying out a program of public works under the 'National Industrial Recovery Act'; authorizing the State Government and each of the State Boards and Commissions, including the governing boards of each State educational institution, and every county, city, or other political subdivision of this State to make loans and accept grants from the Federal Emergency Administration of Public Works for the carrying out of designated public works projects, and to issue notes, warrants, or other obligations, and to pledge and encumber the property of such projects, including the franchises and income thereof, and to acquire by purchase, lease, or otherwise, any property for any such project, and providing that any county, city, or town may act on resolution of its commissioners court or governing body; providing for the issuance of warrants or other obligations, for the conveyance of the site of such project to the United States and the entering into of a contract of rental; providing for the creation of public corporations to carry on such projects; providing that this Act cease to be in effect at the expiration of two years; providing that if any section hereof be declared unconstitutional, the other provisions shall not be impaired thereby; providing for a short title, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. A State-wide emergency productive of wide-spread unemployment and disorganization of industry which affects the public welfare and undermines the standard of living of the people of this State is hereby declared to exist; and it is hereby recognized that such an emergency

exists throughout the Nation. It is hereby declared to be the policy of this State to provide for the general welfare by co-operating with and assisting the National Government in carrying on the construction, enlargement, and repair of a system of public works, to increase consumption of industrial and agricultural products by increasing purchasing power, to reduce and relieve unemployment, to improve standard of labor, and to conserve natural resources, and in all things to co-operate with the National Government in carrying out the program of public works as declared in the Act of Congress approved June 16, 1933, known by the short title of "National Industrial Recovery Act."

Sec. 2. To effectuate the purposes of this Act, the State of Texas, the Governor, and each department of the State Government, and each of the State Boards and Commissions, including the governing boards of each State educational institution, and every county, city, or other political subdivision of this State (acting by resolution of the commissioners court or governing body), are hereby authorized and empowered to make loans and accept grants from the Federal Emergency Administration of Public Works for the carrying out of any public works authorized under said Act of Congress of June 16, 1933, known by the short title of "National Industrial Recovery Act," which shall include among other things the following: (a) construction, repair, and improvement of public highways and park ways, public buildings, and any publicly owned instrumentalities and facilities; (b) conservation and development of natural resources, including control, utilization, and purification of waters, irrigation and reclamation projects, prevention of soil or coastal erosion, development of waterpower, transmission of electrical energy, and construction of river improvements and flood control; (c) any projects of the character heretofore constructed are carried on either directly by public authority or with public aid to serve the interests of the general public; (d) construction, reconstruction, alteration, or repair under public regulation or control of low cost housing projects; (e) any project (other than those included in the foregoing classes) authorized under said National Industrial Recovery Act; (1)

and, may issue notes, warrants, or other obligations evidencing payment of the money so borrowed, and to secure such obligation may encumber, mortgage, and or pledge the property so constructed, repaired, extended, and or improved, including the real estate on which same is situated, the franchises and income thereof; and may acquire by purchase, lease, or otherwise, any property for the purpose of carrying on, constructing, improving, extending, or repairing any such works; provided, that the general credit of the State shall never be pledged for the payment of any such obligations, nor shall the same be a charge upon or paid out of any general fund created by the levy of a State tax. Any county, city, or town may act hereunder and perform any of the acts herein enumerated by resolution of its commissioners court or governing body, which resolution shall be sufficient authority therefor notwithstanding the provisions of any other law of this State.

Sec. 3. Any county, city, town or political subdivision of the State is hereby given authority, through its commissioners court or governing body, to issue warrants or other obligations to evidence the payment of any money borrowed for the purposes set out in Section 2 of this Act, and to provide for the payment thereof by pledging or setting aside funds derived from any tax which it is authorized to levy under existing law; and at the time of issuing such warrants and other obligations, the commissioners court, or governing body, may provide for the levy of such tax and the setting aside of so much of the fund created thereby, for the current and future years, to pay interest upon such obligation, and to discharge the same at maturity.

Sec. 4. Any county, city, or political subdivision of this State may, when authorized by resolution of its commissioners court, or governing body, convey to the United States the site of any project set out in Section 2 of this Act, and to contract to pay rental on the completed project sufficient to reimburse the United States for its outlay in completing the project, less any grant which may be allowed; and, in addition, shall have the authority to

pledge any other revenues derived from any such project for the payment of any funds so advanced.

Sec. 5. To further effectuate the purposes of this Act and to more effectually secure for this State the benefits of the said "National Industrial Recovery Act," the Governor is authorized to form public corporations to build, construct, extend, repair and/or enlarge any such project as is set out in Section 2 of this Act, under the following provisions:

1. Whenever the Governor deems any such project advisable and in accord with public welfare, she may, acting alone or in conjunction with any department head, or any Board or Commission of the State Government, as enumerated in Section 2 of this Act, file a charter with the Secretary of State, the same to be subscribed by the Governor and such department head, board or commission, setting out the name of the corporation, the purpose for which it is formed, a general description of the project to be constructed, and the places in this State within which it proposes to transact business. Upon the filing of such charter such corporation shall be deemed to have been created, and shall thereafter exist, with the powers, rights and privileges enjoyed by private corporations under the general laws of this State; provided, (a) the title to all property in the name of such corporation shall be held by it in trust for the State of Texas, with power in the corporation to encumber or convey the same for corporate purposes; and (b) all earnings of the corporation over and above the necessary operating expenses, and proper reserves for payment of indebtedness, depletion, repairs, replacements, enlargements and extensions, shall be set aside annually by the directors of such corporation and paid into the General Fund of the State Treasury.

2. The directors of such corporation shall consist of the subscribers to the charter and their successors in the offices they then hold; and such additional persons as they may select; provided, the directors of any such corporation shall never be less than three nor more than seven in number. Such directors shall adopt by-laws for the government of such corporation, and shall have all the

powers of directors of private corporations created under general laws of this State, not inconsistent with this Act.

3. Such corporation by contract may acquire, encumber and convey property, and sue or be sued in its corporate name, but it shall never pledge or impair the credit of the State, nor create any indebtedness payable out of the general revenue of the State.

Sec. 6. This Act shall cease to be in effect at the expiration of two years from and after the date of its enactment.

Sec. 7. If any provision, section, subsection, clause or part of this Act should be held invalid for any reason, the force and effect of all other provisions hereof shall not be in any way affected or impaired thereby.

Sec. 8. This Act may be cited as the Texas Public Works and Recovery Act.

Sec. 9. The fact that it is necessary that the State of Texas, its departments, boards, and commissions, and the counties, cities, and other political subdivisions of this State be given ample legal authority to secure loans and grants from the Federal Government to carry on a system of public works in accordance with the provisions of the "National Industrial Recovery Act," in order to relieve widespread unemployment in this State, creates an emergency and imperative public necessity requiring that the rule, providing for bills to be read on three separate days, be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

RELATIVE TO BILLS RELATING TO ANTI-TRUST LAWS

Mr. Moore moved that all the bills introduced at this Session, that relate to the Anti-Trust Laws, be referred to the Committee on Judiciary.

Mr. McGregor moved, as a substitute motion, that the above mentioned bills be referred to the Committee on State Affairs.

Mr. Greathouse moved to table the pending motions.

Mr. Pope raised a point of order on further consideration of the pending

motions, on the ground that the motions seek to change the Rules of the House.

Mr. Alexander raised a point of order on further consideration of the motions at this time, on the ground that the motions are premature in that the bills are not yet before the House.

The Speaker sustained the points of order.

Mr. Moore moved that it be the sense of the House and that the House express the desire to have all bills which relate to the Anti-Trust Laws referred to the Committee on Judiciary.

Mr. Anderson of Bexar moved that it be the sense of the House that those bills which relate to the Anti-Trust Laws be referred to the Committee of the Whole House.

On motion of Mr. Moore, the substitute motion was tabled.

Question next recurring on the motion by Mr. Moore, it prevailed by the following vote:

Yeas—84

Adamson.	Jefferson.
Alsup.	Johnson
Barrett.	of Anderson.
Barron.	Jones of Shelby.
Beck.	Kyle of Hays.
Bedford.	Kyle of Palo Pinto.
Bourne.	Lemens.
Bradley.	Lotief.
Burns.	Mackay.
Butler.	McClain.
Camp.	Merritt.
Canon.	Metcalfe.
Caven.	Mitcham.
Chastain.	Moffett.
Crossley.	Moore.
Daniel.	Morse.
Davidson.	Munson.
Dean.	Palmer.
Fain.	Parkhouse.
Fisher.	Patterson.
Ford.	Pavlica.
Fuchs.	Puryear.
Golson.	Ratliff.
Goodman.	Reed of Dallas.
Griffith.	Riddle.
Hankamer.	Roberts.
Harrison.	Rogers of Hunt.
Hartzog.	Rogers
Head.	of Ochiltree.
Hester.	Rollins.
Hicks.	Ross.
Hill of Brazoria.	Savage.
Hodges.	Scarborough.
Holland.	Scott.
Hoskins.	Shannon.
Hughes.	Shults.
Jackson.	Smith.

Stanfield.
Stovall.
Stubbeman.
Tennyson.
Thomas.
Turlington.

Van Zandt.
Vaughan.
Walker.
Wells.
Winningham.
Wood.

Nays—40

Aikin.	Jones of Runnels.
Alexander.	Latham.
Anderson.	Lindsey.
Baker.	Long.
Coombes.	McCullough.
Cowley.	McGregor.
Devall.	McKee.
Dunagan.	Morrison.
Dwyer.	Ray.
Engelhard.	Reader.
Few.	Reed of Bowie.
Glass.	Renfro.
Good.	Russell.
Greathouse.	Steward.
Harris.	Stinson.
Hill of Webb.	Tarwater.
Holekamp.	Tillery.
Huddleston.	Wagstaff.
Hyder.	Weinert.
Jones of Atascosa.	Young.

Absent

Cathey.	Holloway.
Celaya.	Hunt.
Clayton.	Laird.
Colson.	Leonard.
Dunlap.	Magee.
Duvall.	Nicholson.
Graves.	Pope.
Harman.	Townsend.

Absent—Excused

Calvert.	Mathis.
James.	McDougald.
Johnson	Ramsey.
of Dimmit.	Sullivant.
Kayton.	

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, Sept. 14, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 1, A bill to be entitled "An Act appropriating the sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary, payable out of the General Revenue, and not otherwise appropriated, to pay the mileage of Members, their per diem, and to pay the salaries and per diem of officers and employes of the First Called Ses-

sion of the Forty-third Legislature of the State of Texas, and declaring an emergency."

S. B. No. 2, A bill to be entitled "An Act appropriating the sum of fifty thousand dollars (\$50,000) or so much thereof as may be necessary, out of the General Revenue of the State of Texas, to pay the contingent expenses of the First Called Session of the Forty-third Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

S. C. R. No. 1, Appointing a committee to make a survey of the storm-stricken area in South Texas and to report the facts to the Legislature, in order that some relief may be granted to these people. The following have been appointed on the part of the Senate: Senators Parr, Pace, Woodward, Beck, and Holbrook.

Respectfully,
BOB BARKER,
Secretary of the Senate.

**PROVIDING FOR A COMMITTEE
TO VISIT THE RIO GRANDE
VALLEY TO DETERMINE
LOSSES SUSTAINED BY
THE HURRICANE**

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 1, Providing for committee to make inspection trip of Rio Grande Valley.

Whereas, On the fourth and fifth days of the present month, a terrific hurricane of great intensity swept over what is commonly designated as the Rio Grande Valley of Texas, and wrought its greatest destruction in the Counties of Cameron, Hidalgo, and Willacy; and

Whereas, Since that time heroic efforts have been made by various agencies of the State and Federal Government and also the National Red Cross to alleviate the conditions brought about by the hurricane; and

Whereas, It is impossible at this time to determine from reports at hand just what losses have been sustained, but information has come to the Legislature that it will not only require the best efforts of the agencies aforementioned to bring order out of chaos that has ensued by reason of the storm, and to relieve adequately the citizens of that region, it will in

all probability be necessary for the State Government to render what assistance it can under the Constitution to the people of this district who have suffered so severely from the effects of this storm; and

Whereas, In order to get a true statement of just what losses have been sustained and just what is necessary to do for these people in this great emergency, it is the opinion of the Members of the Legislature, both the House and Senate, that a committee from each Body should be requested to visit the section swept by the storm at its earliest possible convenience, for the purpose of gathering all the facts concerning these losses and needs, and reporting back to the Legislature and the Governor what is necessary, if anything, for the Legislature to do in the matter of giving or granting relief to these people; now, therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That a committee of six Members of the Senate, including the Lieutenant Governor, be appointed by the Lieutenant Governor, and six Members of the House, by the Speaker of the House, and that these be requested to go immediately into the section of the State swept by this storm for the purpose of gathering these facts, and making a report accordingly, and that the expenses of said committee be paid out of the contingent funds of each respective legislative Body.

The resolution was read second time.

On motion of Mr. Alexander, the Rule, which requires that a resolution be first referred to a committee before being considered by the House, was suspended by the following vote:

Yeas—109

Aikin.	Dean.
Alexander.	Dunagan.
Alsup.	Fain.
Baker.	Few.
Barrett.	Fisher.
Barron.	Ford.
Bedford.	Fuchs.
Bourne.	Glass.
Butler.	Golson.
Camp.	Good.
Canon.	Goodman.
Caven.	Greathouse.
Chastain.	Griffith.
Coombes.	Hankamer.
Cowley.	Harman.
Davidson.	Harris.

Harrison.	Pavlica.
Hartzog.	Pope.
Head.	Purveyar.
Hester.	Ratliff.
Hicks.	Ray.
Hodges.	Reader.
Holland.	Reed of Bowie.
Holloway.	Reed of Dallas.
Hoskins.	Renfro.
Huddleston.	Riddle.
Hughes.	Roberts.
Hyder.	Rogers of Hunt.
Jackson.	Rollins.
Jefferson.	Ross.
Johnson	Russell.
of Anderson.	Savage.
Jones of Atascosa.	Scott.
Jones of Runnels.	Shannon.
Jones of Shelby.	Shults.
Kyle of Hays.	Smith.
Kyle of Palo Pinto.	Stanfield.
Laird.	Steward.
Latham.	Stinson.
Leonard.	Stovall.
Lindsey.	Stubbeman.
Mackay.	Tarwater.
McClain.	Tennyson.
McGregor.	Thomas.
Merritt.	Townsend.
Metcalfe.	Turlington.
Mitcham.	Van Zandt.
Moffett.	Vaughan.
Moore.	Wagstaff.
Morrison.	Walker.
Morse.	Weinert.
Munson.	Wells.
Palmer.	Winningham.
Parkhouse.	Wood.
Patterson.	Young.

Nays—9

Adamson.	Lemens.
Anderson	Long.
Daniel.	Lotief.
Devall.	Tillery.
Holekamp.	

Absent

Beck.	Graves.
Bradley.	Hill of Brazoria.
Burns.	Hill of Webb.
Cathey.	Hunt.
Celaya.	Magee.
Clayton.	McCullough.
Colson.	McKee.
Crossley.	Nicholson.
Dunlap.	Rogers
Duvall.	of Ochiltree.
Dwyer.	Scarborough.
Engelhard.	

Absent—Excused

Calvert.	Mathis.
James.	McDougald.
Johnson	Ramsey.
of Dimmit.	Sullivant.
Kayton.	

Mr. Pope offered the following amendment to the resolution:

Amend Senate Concurrent Resolution No. 1 by adding the following after the word "House," in line 6, page 2: "and the Speaker of the House shall be ex-officio member of said committee."

The amendment was adopted.

Mr. Burns offered the following amendment to the resolution:

Amend Senate Concurrent Resolution No. 1 by adding a new section:

"Providing that said committee shall visit the counties of East Texas and make an investigation of the needs of the citizens of that section, who are out of work and need assistance."

BURNS,
DANIEL.

Mr. Metcalfe moved the previous question on the pending amendment, amendments on the Speaker's table, and the resolution, and the main question was ordered.

Question first recurring on the amendment by Mr. Burns, it was lost.

Mr. Stanfield offered the following amendment to the resolution:

Amend resolution by adding at the end of the resolution the following:

"Whereas, Sixteen counties in the Panhandle area of Texas have suffered untold suffering and privation; and

Whereas, Said counties have passed through the most devastating drought ever known; and

Whereas, Many families are in destitute circumstances; now, therefore, be it

Resolved, That a committee of five, composed of two Members of the Senate, and three of the House, be appointed to make suitable inspections and render report on condition of said counties."

STANFIELD,
MOFFETT,
ROGERS,
PURYEAR,
TARWATER,
THOMAS.

The amendment was adopted.

Mr. Long offered the following amendment to the resolution:

Amend Senate Concurrent Resolution No. 1 by striking out the last paragraph and insert the following:

"That the Texas Rehabilitation and Relief Commission be instructed to make said investigation."

The amendment was adopted by the following vote:

Yeas—75

Adamson.	Kyle of Hays.
Aikin.	Kyle of Palo Pinto.
Alsup.	Latham.
Baker.	Lemens.
Barrett.	Long.
Beck.	Lotief.
Bourne.	Mackay.
Burns.	Magee.
Butler.	McClain.
Canon.	McGregor.
Colson.	McKee.
Cowley.	Merritt.
Crossley.	Mitcham.
Daniel.	Morrison.
Davidson.	Munson.
Dean.	Palmer.
Dunagan.	Parkhouse.
Engelhard.	Puryear.
Fain.	Ratliff.
Fisher.	Ray.
Ford.	Reed of Dallas.
Fuchs.	Rollins.
Glass.	Ross.
Golson.	Russell.
Goodman.	Savage.
Hankamer.	Shannon.
Harman.	Steward.
Hartzog.	Stinson.
Head.	Stovall.
Hester.	Stubbeman.
Hill of Brazoria.	Townsend.
Holekamp.	Vaughan.
Hoskins.	Walker.
Huddleston.	Wells.
Hughes.	Winningham.
Hyder.	Wood.
Jackson.	Young.
Jones of Atascosa.	

Nays—41

Alexander.	McCullough.
Bedford.	Metcalfe.
Camp.	Moffett.
Celaya.	Moore.
Chastain.	Morse.
Devall.	Patterson.
Dunlap.	Pavlica.
Dwyer.	Pope.
Harris.	Reed of Bowie.
Hicks.	Renfro.
Hill of Webb.	Roberts.
Holland.	Rogers.
Hunt.	of Ochiltree.
Jefferson.	Scarborough.
Jones of Runnels.	Scott.
Jones of Shelby.	Shults.
Laird.	Smith.
Leonard.	Stanfield.
Lindsey.	Tarwater.

Thomas.
Van Zandt.

Wagstaff.
Weinert.

Absent

Anderson.	Harrison.
Barron.	Hodges.
Bradley.	Holloway.
Cathey.	Johnson.
Caven.	of Anderson.
Clayton.	Nicholson.
Coombes.	Reader.
Duvall.	Riddle.
Few.	Rogers of Hunt.
Good.	Tennyson.
Graves.	Tillery.
Greathouse.	Turlington.
Griffith.	

Absent—Excused

Calvert.	Mathis.
James.	McDougald.
Johnson.	Ramsey.
of Dimmit.	Sullivant.
Kayton.	

The resolution as amended was then lost by the following vote:

Yeas—59

Alexander.	Magee.
Beck.	McGregor.
Bedford.	Merritt.
Bradley.	Metcalfe.
Butler.	Mitcham.
Camp.	Moffett.
Colson.	Moore.
Crossley.	Morse.
Davidson.	Munson.
Dean.	Palmer.
Dwyer.	Patterson.
Engelhard.	Pavlica.
Ford.	Pope.
Glass.	Puryear.
Golson.	Ratliff.
Hankamer.	Ray.
Harrison.	Reader.
Hartzog.	Roberts.
Hill of Webb.	Rogers.
Hoskins.	of Ochiltree.
Huddleston.	Rollins.
Hyder.	Ross.
Jackson.	Scarborough.
Jefferson.	Smith.
Jones of Atascosa.	Stanfield.
Jones of Runnels.	Steward.
Jones of Shelby.	Tarwater.
Laird.	Townsend.
Leonard.	Wagstaff.
Lindsey.	Weinert.

Nays—62

Adamson.	Barron.
Aikin.	Bourne.
Alsup.	Burns.
Baker.	Canon.
Barrett.	Chastain.

Cowley.	Mackay.
Daniel.	McClain.
Devall.	McCullough.
Dunagan.	McKee.
Fain.	Morrison.
Few.	Parkhouse.
Fisher.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Goodman.	Renfro.
Harman.	Russell.
Harris.	Savage.
Head.	Scott.
Hester.	Shannon.
Hicks.	Shults.
Hill of Brazoria.	Stinson.
Hodges.	Stovall.
Holekamp.	Stubbeman.
Holloway.	Tennyson.
Hughes.	Thomas.
Hunt.	Van Zandt.
Kyle of Hays.	Vaughan.
Kyle of Palo Pinto.	Walker.
Latham.	Wells.
Lemens.	Winningham.
Long.	Wood.
Lotief.	Young.

Absent

Anderson	Greathouse.
Cathey.	Griffith.
Caven.	Holland.
Celaya.	Johnson
Clayton.	of Anderson.
Coombes.	Nicholson.
Dunlap.	Riddle.
Duvall.	Rogers of Hunt.
Good.	Tillery.
Graves.	Turlington.

Absent—Excused

Calvert.	Mathis.
James.	McDougald.
Johnson	Ramsey.
of Dimmit.	Sullivant.
Kayton.	

Mr. Savage moved to reconsider the vote by which the resolution was lost, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—58

Adamson.	Crossley.
Aikin.	Daniel.
Baker.	Devall.
Barrett.	Engelhard.
Barron.	Fain.
Bourne.	Fisher.
Burns.	Fuchs.
Butler.	Harman.
Canon.	Harris.
Cowley.	Harrison.

Head.	McKee.
Hester.	Metcalfe.
Hicks.	Munson.
Hill of Brazoria.	Ratliff.
Hodges.	Ray.
Holekamp.	Reed of Bowie.
Holland.	Reed of Dallas.
Holloway.	Russell.
Hoskins.	Savage.
Hughes.	Scott.
Hunt.	Shannon.
Kyle of Hays.	Shults.
Kyle of Palo Pinto.	Stubbeman.
Latham.	Tillery.
Lemens.	Vaughan.
Long.	Walker.
Lotief.	Wells.
Mackay.	Winningham.
Magee.	Young.

Nays—60

Alexander.	Merritt.
Alsup.	Mitcham.
Beck.	Moffett.
Bedford.	Moore.
Bradley.	Morrison.
Camp.	Morse.
Celaya.	Palmer.
Chastain.	Patterson.
Colson.	Pavlica.
Davidson.	Pope.
Dunlap.	Puryear.
Dwyer.	Renfro.
Few.	Roberts.
Ford.	Rogers
Glass.	of Ochiltree.
Golson.	Rollins.
Goodman.	Scarborough.
Hankamer.	Smith.
Hartzog.	Stanfield.
Hill of Webb.	Steward.
Huddleston.	Stinson.
Hyder.	Stovall.
Jackson.	Tarwater.
Jefferson.	Tennyson.
Jones of Runnels.	Thomas.
Jones of Shelby.	Townsend.
Laird.	Van Zandt.
Leonard.	Wagstaff.
Lindsey.	Weinert.
McCullough.	Wood.
McGregor.	

Absent

Anderson	Johnson
Cathey.	of Anderson.
Caven.	Jones of Atascosa.
Clayton.	McClain.
Coombes.	Nicholson.
Dean.	Parkhouse.
Dunagan.	Reader.
Duvall.	Riddle.
Good.	Rogers of Hunt.
Graves.	Ross.
Greathouse.	Turlington.
Griffith.	

Absent—Excused

Calvert.	Mathis.
James.	McDougald.
Johnson	Ramsey.
of Dimmit.	Sullivant.
Kayton.	

SENATE BILLS ON FIRST
READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committee, as follows:

Senate Bills Nos. 1 and 2, to the Committee on Appropriations.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Harman:

H. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of one hundred and fifty thousand dollars (\$150,000), or so much thereof as may be necessary, out of the General Revenues, to pay the per diem and mileage of Members, the per diem of officers and employees of the First Called Session of the Forty-third Legislature of the State of Texas, convened on the 14th day of September, 1933, by proclamation of the Governor; to supplement the like appropriation of the Regular Session of said Legislature; to pay any unpaid vouchers or warrants held by Members, officers, or employees of the Regular Session of said Legislature; to pay any unpaid claims and accounts of Members, officers, or employees of said Session, or of other persons, authorized either by the Senate or the House of Representatives; to pay any and all sums for whatever purpose authorized to be expended by concurrent resolution of the Forty-third Legislature at its Regular Session; to pay the per diem of Members, officers or employees for pre-session and post-session work of the First Called Session of said Forty-third Legislature; providing how accounts

may be approved and audited, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Harman:

H. B. No. 2, A bill to be entitled "An Act making an appropriation of the sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary, out of the General Revenue of the State of Texas, to pay the contingent expenses of the First Called Session of the Forty-third Legislature of the State of Texas, convened on the 14th day of September, 1933, by proclamation of the Governor; providing how accounts may be approved, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Bradley, Mr. Stinson, Mr. Hester, Mr. Greathouse, Mr. Lemens, Mr. Long, and Mr. Weinert:

H. B. No. 3, A bill to be entitled "An Act declaring the economic conditions and policy of this State concerning co-operation with the National Government in authorizing and providing for action by trade groups, labor, and management of industry, eliminating unfair competition, promoting the proper productive capacity of industry, increasing the consumption of industrial and agricultural products by increasing purchasing power, reducing unemployment, improving standards of labor, and otherwise rehabilitating industry and conserving natural resources, as announced in the National Industrial Recovery Act; authorizing the Governor and heads of departments to consent that the President of the United States utilize public officers and employees in this State to effectuate the policies of the National Industrial Recovery Act, etc., and declaring an emergency."

Referred to Committee on Judiciary.

ADJOURNMENT

On motion of Mr. Russell, the House, at 5:40 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

In Memory of Judge D. Frank Bobbitt

Mr. Metcalfe offered the following resolution:

H. C. R. No. 1, In memory of Judge D. Frank Bobbitt.

Whereas, A beautiful and useful life was recently summoned to its conclusion in the death of Judge Daniel Franklin Bobbitt, former Professor of Law at the University of Texas, casting over this Commonwealth the dark shadow of gloom and sorrow and uniting as a single soul the people of this State in their bereavement; and

Whereas, Judge D. Frank Bobbitt served for thirteen years as a Professor of Law, thereby contributing not only his services as an intellectual scholar but at all times offering his faithful counsel and advice to the countless scores of men who associated with him as students in that institution of learning; and

Whereas, By such counseling and advising Judge Bobbitt shaped the lives and framed the destinies of many of the most valuable lawyers of Texas, inspiring them at all times to dedicate their lives and their abilities in the profession of the law to the highest standard of moral and legal ethics and to the most perfect standard of social culture and association; and

Whereas, We have been brought to the realization that Texas has lost one of its greatest statesmen, its most beloved teacher and a valuable citizen at a time when his counsel and advice would have been most advantageous in solving the economic problems with which our government is concerned; and

Whereas, In the absence of his friendship and kind consideration we are brought to the impenetrable void beyond which the vision of humanity does not extend and where only the inspiration of his memory remains as a sustaining factor in the lives of all of us who relied upon his presence when faced with difficulties and problems difficult of solution; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Forty-third Legislature of the State of Texas, officially express its deep sorrow and bereavement at the death of Judge Daniel Franklin Bobbitt and extend to his family and innumerable friends that measure of consolation of which humanity is capable, assuring those who now sorrow at his passing that his memory and labors shall remain with us forever as his monument; be it further

Resolved, That when the Legislature shall stand adjourned on this day that it shall be in memory of and as a tribute to Judge D. Frank Bobbitt, and that copies of this resolution be sent by the Chief Clerk of the House and Secretary of the Senate to the surviving members of Judge Bobbitt's family; and be it finally

Resolved, That we, the living, in memory of our departed friend and teacher shall live more worthy lives, dedicating ourselves to the emulation of his incomparable character.

METCALFE,
CLAYTON,
FORD,
RENFRO,
CAMP,
LEMENS,
CAVEN,
LONG,
RATLIFF,
STUBBEMAN,
DANIEL.

The resolution was read second time.

On motion of Mr. Puryear, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson, Baker, Barrett, Barron, Beck, Bedford, Bourne, Bradley, Burns, Butler, Calvert, Canon, Cathey, Celaya, Chastain, Colson, Coombes, Cowley, Crossley, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Few, Fisher, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill of Brazoria, Hill of Webb, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hyder, Jackson, James, Jefferson, Johnson of Anderson, Johnson of Dimmit, Jones of Atascosa, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Latham, Leonard, Lindsey, Lotief, Magee, Mackay, Mathis, McClain, McCullough, McDougald, McGregor, McKee, Merritt, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ray, Reader, Reed of Bowie, Reed of Dallas, Riddle, Roberts, Rogers of Hunt, Rogers of Ochiltree, Rollins, Ross, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Sullivan, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, Winningham, Wood, Young.

The resolution was then adopted by a rising vote.

In Memory of Miss Mildred Canon

Mr. Morse offered he following resolution:

Whereas, Subsequent to the adjournment of the Regular Session of the Legislature, the Members of the House of Representatives and her host of friends learned with feelings of profound sorrow of the untimely death of Mildred Canon, the beautiful and charming daughter of our beloved Member, Hon. C. C. Canon, and

Whereas, Miss Canon was a young woman of the highest character and by her charming personality and thoughtfulness to her friends had endeared herself to those with whom she came in contact and has stamped the memory of her friendship indelibly upon the hearts of those who knew her; now, therefore, be it

Resolved, That the Members of the House of Representatives extend to her father, C. C. Canon, and to her family, our deepest sympathy in their hour of bereavement, and that a copy of this resolution be enrolled and furnished the members of her family; and, be it further

Resolved, That when the House stands adjourned today, it do so in her memory.

MORSE,
MOORE,
PATTERSON,
AIKIN,
RUSSELL,
STINSON,
HUGHES,

REED of Dallas,
BARRETT,
BOURNE,
HODGES,
McCLAIN,
HOSKINS,
LOTIEF.

On motion of Mr. Ford, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Alexander, Alsup, Anderson, Baker, Barron, Beck, Bedford, Bradley, Burns, Butler, Calvert, Camp, Cathey, Caven, Celaya, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Few, Fisher, Ford, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill of Brazoria, Hill of Webb, Holekamp, Holland, Holloway, Huddleston, Hunt, Hyder, Jackson, James, Jefferson, Johnson of Anderson, Johnson of Dimmit, Jones of Atascosa, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Latham, Lemens, Leonard, Lindsey, Long, Magee, Mackay, Mathis, McCullough, McDougald, McGregor, McKee, Merritt, Metcalfe, Mitcham, Moffett, Morrison, Munson, Nicholson, Palmer, Parkhouse, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Renfro, Riddle, Roberts, Rogers of Hunt, Rogers of Ochiltree, Rollins, Ross, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stovall, Stubbeman, Sullivant, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, Winningham, Wood, Young.

The resolution was then adopted by a rising vote.

In Memory of Henry James

Mr. Camp offered the following resolution:

Whereas, The Supreme Arbiter of our destinies has seen fit to call from life's labors and its pleasures, Henry James, the young brother of our co-laborer, the Hon. Jesse James; and it is with deep regret that we learn of the passing of this young man ere he had hardly reached life's morning, just as its day began; be it

Resolved, That we deeply deplore his early passing while there were still unperformed so many unfinished and untouched tasks, and that we offer our sincere sympathy and condolences to our fellow Member, Hon. Jesse James, and his bereaved family, and that when this House adjourns today, it be in honor of the brother of our friend.

CAMP,
GRAVES,
MORSE.

The resolution was read second time.

On motion of Mr. Goodman, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson, Baker, Barrett, Barron, Beck, Bedford, Bourne, Bradley, Burns, Butler, Calvert, Canon, Cathey, Caven, Celaya, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Few, Fisher, Ford, Fuchs, Glass, Golson, Good, Goodman, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill of Brazoria, Hill of Webb, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hyder, Jackson, Jefferson, Johnson of Anderson, Johnson of Dimmit, Jones of Atascosa, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McClain, McCullough, McDougald, McGregor, McKee, Merritt, Metcalfe, Mitcham, Moffett, Moore, Morrisson, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roberts, Rogers of Hunt, Rogers of Ochiltree, Rollins, Ross, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Stubbeman, Sullivan, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, Winningham, Wood, Young.

The resolution was then adopted by a rising vote.

In Memory of Hon. Barry Miller

Mr. Savage offered the following resolution:

Whereas, Since the Regular Session of the Legislature adjourned, Hon. Barry Miller passed away on June 20, 1933, at his home in Dallas; and

Whereas, He had lived a long and useful life in the State of Texas, having served as a Member of the House of Representatives, in the Thirty-fifth, Thirty-sixth, and Thirty-seventh Legislatures, and as a Member of the Senate, in the Twenty-sixth and Twenty-seventh Legislatures; and

Whereas, He was elected Lieutenant Governor of the State of Texas, three times, serving with distinction as President of the Senate during the Thirty-ninth, Fortieth, and Forty-first Legislatures; and

Whereas, He served as Criminal District Judge of Texas, in Dallas County, with credit to himself and honor to the State of Texas; and

Whereas, He served as Chairman of the Democratic Party in Dallas County, and on many occasions went over the State in battle for his friends, and the Democratic Party; and

Whereas, The Members of the House of Representatives of the Forty-third Legislature are personally and well acquainted with the conspicuous services rendered by Hon. Barry Miller for more than fifty years in the State of Texas, and particularly his services in the Legislative Department of the State of Texas during the last thirty-five years, and his loss will be sorely felt; now, therefore, be it

Resolved by the House of Representatives of the Forty-third Legislature, That the Members of this body express their deep regret and heartfelt sympathy to the members of the deceased's family, and that we realize that in his passing the State of Texas and its citizenship have suffered a great loss; be it further

Resolved, That this resolution be spread upon a page of the House Journal set aside for that purpose; that when the House adjourns today, it do so out of honor and respect to the memory of Hon. Barry Miller, and that the Clerk of the House transmit copies thereof to the members of the family of the deceased, and to the press.

SAVAGE,
HUGHES,
PARKHOUSE,
COOMBES,
STINSON,
REED of Dallas.

The resolution was read second time.

On motion of Mr. Few, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson, Baker, Barrett, Barron, Beck, Bedford, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Celaya, Chastain, Clayton, Colson, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Few, Fisher, Ford, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Martzog, Head, Hester, Hicks, Hill of Brazoria, Hill of Webb, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hunt, Hyder, Jackson, James, Jefferson, Johnson of Anderson, Johnson of Dimmit, Jones of Atascosa, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McClain, McCullough, McDougald, McGregor, McKee, Merritt, Metcalfe, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Renfro, Riddle, Roberts, Rogers of Hunt, Rogers of Ochiltree, Rollins, Ross, Russell, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stovall, Stubbeman, Sullivant, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, Winningham, Wood, Young.

The resolution was then adopted by a rising vote.